

Good morning. Today the Subcommittee on National Security and Foreign Affairs continues our sustained oversight of United States policy toward Pakistan.

Here in the States we are well into our longest-ever Presidential campaign, and the future course of U.S. national security is front and center. On January 8th, as New Hampshire voters brave the cold to vote in the first-in-the-nation primary, another election that very same day – a parliamentary election half-way around the world in Pakistan – will also have profound consequences for U.S. national security.

As I noted at a previous hearing, Pakistan is at a crossroads. After a year of extremist violence spreading throughout its western regions, an ambivalent military response, and increasing pressure from pro-democracy forces, President Musharraf declared a “state of emergency” on November 3.

Pakistan’s emerging civil society appeared to be the main target. President Musharraf sacked judges who refused to surrender their independence. He jailed lawyers, human rights advocates, and political opposition leaders. He banned public political gatherings. He muzzled the nascent independent media. Worst of all, he turned Pakistan’s guns on its civil society instead of on the Taliban and al Qaeda.

The Bush Administration initially made some gestures to pressure President Musharraf to reverse course. Ambassador Anne Patterson, for example, made very important and visible efforts to highlight the detention of lawyers and the crackdown on independent media.

However, the Administration – especially recently – has appeared to undermine the pro-democracy message.

Deputy Secretary of State John Negroponte and Assistant Secretary of State Richard Boucher, for example, continue to refer to Musharraf as an “indispensable” ally. President Bush said that President Musharraf “hadn’t crossed any lines” by imposing the state of emergency. And just two weeks ago, Ambassador Boucher referred to the state of emergency as, and I quote, “a bump in the road.”

I fear that such statements greatly undermine U.S. credibility with the Pakistani people. We should never forget that the Pakistani people are our “indispensable” and long-term ally, not necessarily any one leader, whether it be President Musharraf or anyone else.

Over the last several weeks, there have been some positive developments: President Musharraf resigned as Army Chief; the leaders of the two mainstream opposition parties – Benazir Bhutto and Nawaz Sharif – are now back in Pakistan; and President Musharraf revoked the state of emergency just this past weekend.

However, much of the damage remains. Judges have not been reinstated. Media outlets now operate under a “code of conduct” restricting criticism of the government. Leading opposition lawyers remain under arrest. The election commission lacks independence. The voter rolls continue to inspire little confidence. And, evidence mounts that raises serious concerns about President Musharraf using the power of the state to gain unfair advantage in the elections.

For example, here’s a photograph taken last week depicting an armed Pakistani security official posting signs on behalf of President Musharraf’s political party, the PML-Q.

There is also evidence that the crackdown against civil society continues, notwithstanding formal revocation of the state of emergency. This picture of security forces beating women at a peaceful protest was taken just a few days ago. Note that this confrontation is happening after the state of emergency was purportedly lifted.

Taking all this into account, I have grave concerns – and many questions – about the prospects for “free and fair” parliamentary elections less than three short weeks from now on January 8:

- How will the “code of conduct” imposed on the media allow the kind of unbiased political expression necessary for a free and fair election?
- How much of a “chilling effect” will there be on robust political opposition when activists

continue to fear crackdowns and arrests?

- How accurate are the voter rolls going into this election?
- What effect will Nawaz Sharif's "ineligibility" to stand for election have?
- How will political parties campaign in the western regions of the country that have been inflamed by Taliban and al Qaeda violence?
- How will the removal of judges unwilling to go along with President Musharraf and the lack of an independent election commission hamper the ability to ward off and root out corruption and unfair practices at the polls?

I also think it merits taking a few minutes now – before the heat of election day itself – to discuss the following:

- First, what standards must be met for an election to be deemed "free and fair"? What is the dividing line between minor problems and massive election fraud?
- Second, how should the U.S. react if the international community and credible election observers deem it to be a fundamentally flawed election?

I look forward to engaging with our distinguished panel before us today on these vital questions.

I want to thank you all for sharing your expertise with the Congress and the American people. In particular, I look forward to learning from your experiences having closely monitored the build-up to these Pakistan parliamentary elections.